
Staff Summary Report

Council Meeting Date: 06/23/04

Agenda Item Number: _____

SUBJECT: Request approval of Resolution No. 2004.51 to extend the term of the telecommunications services license for Nextlink Arizona, Inc dba XO Arizona, Inc.

DOCUMENT NAME: 20040623casv01 **NEXLINK ARIZONA INC. (0802-14)** Resolution No. 2004.51.

SUPPORTING DOCS: No.

COMMENTS: Nextlink Arizona, Inc. dba XO Arizona, Inc. and City desire to extend the term of their current license granted pursuant to Ordinance No. 99.11 to September 23, 2004.

PREPARED BY: Rosemary H. Rosales, Assistant City Attorney (Ext. 8698)

REVIEWED BY: N/A

LEGAL REVIEW BY: Rosemary H. Rosales, Assistant City Attorney (Ext. 8698)

FISCAL NOTE: N/A

RECOMMENDATION: The approval and adoption of Resolution No. 2004.51.

RESOLUTION NO. 2004.51

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF TEMPE AUTHORIZING THE EXTENSION OF THE TELECOMMUNICATIONS SERVICES LICENSE ISSUED TO NEXTLINK ARIZONA, INC. (NOW DOING BUSINESS AS XO ARIZONA, INC.).

WHEREAS, pursuant to Ordinance No. 99.11, the City of Tempe, Arizona, a municipal corporation, (the "City") granted to Nextlink Arizona, Inc. a Telecommunications Services License (the "License") authorizing the operation and maintenance of a facilities to provide Telecommunications Services in, under, along, over and across public highways and public rights-of-way within the City;

WHEREAS, the License was issued on May 13, 1999, and became effective soon thereafter, having a five year term and, as a result, expiring on or about May 13, 2004;

WHEREAS, in connection with negotiating a renewal of the License, XO Arizona, Inc. (formerly known as Nextlink Arizona, Inc.) ("XO") and the City desire to extend the term of the License to cover the period from the date of the expiration of the License until September 23, 2004, to allow for negotiation of a renewal license.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of Tempe, Arizona as follows:

Section 1: That the term of the License shall remain in effect from its expiration date and shall be extended through September 23, 2004.

Section 2: That as of the date of this Resolution, the License is valid and remains in full force and effect, except to the extent that it is amended by this Resolution.

PASSED AND ADOPTED by the Mayor and City Council of the City of Tempe, Arizona, this _____ day of June 2004.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney